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**CLAIM AMENDMENTS**

1. (currently amended) An isolated genomic nucleic acid molecule, said nucleic acid molecule obtainable from human chromosome 7 having a nucleotide sequence at least 95% identical to a sequence selected from the group consisting of:
  - (a) a nucleic acid molecule depicted in SEQ ID NO:6-8 which encodes a polypeptide which is at least 95% identical to SEQ ID NO:3 and that has human adipocyte enhancer binding protein 1 activity;
  - (b) a fragment of (a) comprising nucleotides 1301-10893 of SEQ ID NO:6-8 which encodes a polypeptide which is at least 95% identical to SEQ ID NO:3 and has human adipocyte enhancer binding protein 1 activity; and
  - ~~(c) a nucleic acid molecule which hybridizes to any one of the nucleic acid molecules in their entireties specified in (a) (b) and has the activity of (a) and (b);~~
  - ~~(d) a nucleic acid molecule which is a reverse complement of the polynucleotides specified in (a)-(c);~~
2. (previously presented) A nucleic acid construct comprising the nucleic acid molecule of claim 1.
3. (previously presented) An expression vector comprising the nucleic acid molecule of claim 1.
4. (original) A recombinant host cell comprising the nucleic acid molecule of claim 1.

Claim 5 (cancelled)

6. (previously presented) A method for obtaining human adipocyte enhancer binding protein 1 comprising:

(a) culturing the recombinant host cell of claim 4 under conditions that provide for the expression of said polypeptide and

(b) recovering said expressed polypeptide.

7. (withdrawn) A method for preparing an antibody specific to human adipocyte enhancer binding protein 1 comprising:

(a) obtaining a polypeptide according to the method of claim 6;

(b) optionally conjugating said polypeptide to a carrier protein;

(c) immunizing a host animal with said polypeptide or polypeptide-carrier protein conjugate of step (b) with an adjuvant and

(d) obtaining antibody from said immunized host animal.

8. (currently amended) An isolated nucleic acid molecule of at least 20 contiguous nucleotides ~~nucleotides or mimetic which hybridizes at high stringency~~ identical to an intron region specific to the nucleic acid molecule of claim 1.

9. (canceled)

10. (previously presented) A composition comprising the nucleic acid molecule of claim 1 and a carrier.

11. (previously presented) A composition comprising the nucleic acid molecule of claim 8 and a carrier.

12. (withdrawn) A method for preventing, treating or ameliorating a medical condition, comprising administering to a subject an amount of the composition of claim 10 effective to prevent, treat or ameliorate said medical condition.
13. (withdrawn) A method for preventing, treating or ameliorating a medical condition, comprising administering to a subject an amount of the composition of claim 11 effective to prevent, treat or ameliorate said medical condition.
14. (previously presented) A kit comprising the nucleic acid molecule of claim 8.
15. (currently amended) The kit according to claim 14, in which the polynucleotide is optionally labeled with a detectable substance.
16. (previously presented) The kit according to claim 14, which comprises a plurality of nucleic acid molecules.

Claims 17-22 are cancelled.

23. (withdrawn) A method for modulating levels of human adipocyte enhancer binding protein 1 in a subject in need thereof comprising administering to said subject an amount of the nucleic acid molecule of claim 1 effective to modulate said human adipocyte enhancer binding protein 1.
24. (withdrawn) A method for modulating levels of human adipocyte enhancer binding protein 1 in a subject in need thereof comprising administering to said subject an amount of the nucleic acid molecule of claim 8 effective to modulate said human adipocyte enhancer binding protein 1 levels.

25. (withdrawn-currently amended) A method of identifying variants of SEQ ID NO: ~~6~~8 comprising
- (a) isolating genomic DNA from a subject and
  - (b) determining the presence or absence of a variant in said genomic DNA using the nucleic acid molecule of claim 8.
26. (withdrawn) A method for detecting the presence or absence of a non-coding nucleic acid sequence specific to the nucleic acid molecule of claim 1 in a sample, said method comprising contacting a sample with a nucleic acid molecule of at least 20 contiguous nucleotides which hybridizes at high stringency to a non-coding region specific to an intron region of said nucleic acid molecule
27. (new) A method of identifying a nucleotide sequence variant of SEQ ID NO:8 or its complementary sequence comprising
- (a) isolating genomic DNA from a subject, and
  - (b) determining the presence or absence of a nucleotide sequence variation in said genomic DNA by comparing the nucleotide acid sequence of SEQ ID NO:8 with the nucleotide sequence of the isolated genomic DNA and establishing if and where a difference occurs between the two nucleic acid sequences thereby identifying a nucleotide sequence variant of SEQ ID NO:8 or its complement.
28. (new) The method of claim 27, wherein the presence or absence of a nucleotide sequence variation is determined in a 5'-noncoding region, 3'-noncoding region or intron region of SEQ ID NO: 8 or its complementary sequence.
29. (new) A method of detecting the presence or absence of a polynucleotide having the nucleic acid sequence set forth depicted in SEQ ID NO:8 or its complementary sequence in a sample, said method comprising
- (a) contacting the sample with a polynucleotide of claim 8 under stringent hybridization conditions and
  - (b) determining whether the polynucleotide binds to a polynucleotide sequence in the

sample, wherein binding of a polynucleotide of the sample to a polynucleotide of claim 8 detects the presence of a polynucleotide comprising SEQ ID NO:8.